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January, 2, 2018

SMU Dedman School of Law
Deason Family Criminal Justice Reform Center
Attn. Brittany K. Barnett
P.O. Box 750416
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Hello Britt, Hope you are doing well by the time you receive this letter. As for me I'm doing okay, I guess. Sorry it has taken me so long to get this back to you but I have been really going through it. I have been diagnosed as being depressed. When the doctor told me that I was like hell I've been depressed for a long time. She wants me to start taking some type of medication but I refused. Then she said that my mental health is important and I was like whoa I'm not crazy I just miss my family dearly along with my freedom.

Britt, I have never been locked up this long in my life. The longest I've ever been incarcerated is 30 months and I must say that this has begun to take a toll on me. The most stressful thing is that my mom is 94 years old and I worry that I will never get to see her again. My dad died 6 years ago on this date (1-2-12) which happens to be my birthday, so this day has been bittersweet ever since. I haven't seen anyone in my family for a decade. As I said I miss them so much.

My kids are all grown up now. They were just teens when I left. I know that they have been affected so much by me not being there for them. Just knowing that hurts my heart. I remember when I was being sentenced that one of the prosecutors (not Sam) said that I could still be there for my kids by talking to them on the phone. I remember thinking that he was absolutely crazy if he thinks talking on the phone to my kids is the same as being there for them. I could not believe he said that. I wondered if he actually believed that himself. It makes me so angry to revisit that day in court so with that being said I'm gonna stop.

Britt, I'm enclosing a copy of the clemency application that was filed by NYU with hopes that you will refile it for me. I would do it myself but I don't have a copy of the letter that Sam wrote for me. I was wondering if you could get him to write another letter for me to put with the application? I like what they did with that clemency petition and would like for you to refile it unless you can make it better. I trust your judgement.

Well that's all I have for now and I pray that something good happens for us with this new initiative that you all are doing.

Sincerely,
Terrell

Defendant's first career offender predicate was a possession with intent to deliver cocaine case from 1998, when he was just 20 years old. That case ~~involved~~ involved 18.7 grams of cocaine, or 16 rocks, not an amount indicative of a large scale dealer.

The Sentencing Commission has acknowledged in recent fifteen year report, that when career offender status is based on relatively minor drug offenses, the guidelines may create a sentence greater than necessary.

United States v. Fernandez, 436 F. Supp. 2d 983, 989 (E.D. Wis. 2006) Citing U.S. Sentencing Commission fifteen years of Guideline Sentencing 133-34.

Britt, this is something I came across that I thought was interesting, because the cases they used to career me were from 1987 and involved a similar amount of drugs, if not less. At the time I was only 24 years old. When I was sentenced those cases were 21 years old.

1-15-18

Britt, On March 26 it will be 10 years that I have been incarcerated and I am no closer to going home than I was the day that I was arrested. You hold on to the hope of one day walking out of here alive and not in a box, but there's always that doubt that you may not.

I am trying to remain positive and see the world through the view of the glass being half full so that I will eventually see my situation from the other side, things are particularly difficult for me right now. I try to remind myself that I will recover from this instance. I just think back on a time and remember how it felt when I was sentenced to life and thought things couldn't get any worse and remind myself that I recovered from that instance and pray that I will recover from this too.

I just don't want to sit here for 15 or 20 years or more and give them the joy of keeping me down for that long. I try to think that this is just a moment in my life and that this moment will pass too. I just pray that it's sooner rather than later.

Sincerely,

Terrell